

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

SOTERO CEPEDA, JAYDEE CANTU,	§	
ERIKA EXINIA, MINERVA GARCIA,	§	
EDGAR GONZALEZ, JOSE GONZALEZ,	§	
JOSE MANCILLAS, JOSE MUNOZ,	§	
ALBERTO OLIVEIRA, JR., EMMANUEL	§	
PIZANA, FELIPE RAMIREZ,	§	
DROR SAAR, CATALINA SHULL,	§	CIVIL ACTION NO. 20-CV-00064
ALEJANDRA SILVEYRA, ARTURO	§	
TURRIBIATES	§	
Petitioners	§	
	§	
vs.	§	
	§	
CARIBBEAN SUN AIRLINES, INC., d/b/a	§	
WORLD ATLANTIC AIRLINES	§	
	§	
Defendant	§	

**PETITIONERS' FIRST AMENDED COMPLAINT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, **SOTERO CEPEDA, JAYDEE CANTU, ERIKA EXINIA, MINERVA GARCIA, EDGAR GONZALEZ, JOSE GONZALEZ, JOSE MANCILLAS, JOSE MUNOZ, ALBERTO OLIVEIRA, JR., EMMANUEL PIZANA, FELIPE RAMIREZ, DROR SAAR, CATALINA SHULL, ALEJANDRA SILVEYRA and ARTURO TURRIBIATES**, complaining of **CARIBBEAN SUN AIRLINES, INC., Doing Business as WORLD ATLANTIC AIRLINES**, and for cause of action would show:

**I. PARTIES**

1. Plaintiffs are all residents of Cameron County, Texas.

2. Defendant, Caribbean Sun Airlines, Inc. is a Delaware Corporation which does business as World Atlantic Airlines and conducts flight operations in Brownsville, Cameron County, Texas. Defendant has appeared and answered through its counsel of record.

## **II. FACTS**

3. On April 20, 2018 Plaintiffs were passengers on board World Atlantic Flight 708 originating in Brownsville, Cameron County, Texas. The subject aircraft was a McDonald Douglas MD-83, identified by registration number N807WA. The aircraft was owned, operated and maintained by the Defendant.

4. As Flight 708 approached the airport located in Alexandria, Louisiana the pilot(s) called in an emergency approach and reported the plane was having problems with its landing gear as it came in on Runway 14 of the airport. The plane landed hard and then reportedly traveled another 6,000 feet to the end of the runway before suffering a complete collapse of the right side landing gear.

5. None of the Plaintiffs/passengers were informed by the flight crew that an emergency landing had been declared by the pilot and thus, none were told to assume a protective crash position.

## **III. NEGLIGENCE**

6. At all times relevant to this suit, Defendant owned, operated, and was responsible for the upkeep, safety, and maintenance of the subject aircraft.

7. Moreover, Defendant and its flight crew were responsible for the safety and security of the passengers on board.

8. As such, the Defendant owed the Plaintiffs a duty of reasonable care to assure safe function and passage while aboard its aircraft and to take all appropriate and prescribed emergency measures with respect to its passengers during the landing.

9. Defendant breached the aforementioned duties and responsibilities to the Plaintiffs, and such breaches proximately caused the injuries, harms and losses they sustained as result of the crash.

#### **IV. DAMAGES**

10. As a result of the crash of Flight 708, Petitioners have suffered and will continue to suffer the following damages:

Pain and mental anguish in the past and future;

Medical expenses in the past and future;

Loss of wages and income in the past and future;

Physical impairment in the past and future;

Loss of Household Services in the past and future; and

Disfigurement in the past and future.

11. By reason of the above, Petitioners have suffered losses and damages in a sum within the jurisdictional limits of the Court and for which this lawsuit is brought.

**WHEREFORE, PREMISES CONSIDERED,** Petitioners asks that upon a final trial of this cause, judgment be entered in favor of the Petitioners, pre-judgment and post-judgment interest, costs of court, and such other relief to which they may be justly entitled.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that a true and correct copy of the above and foregoing document was forwarded *via the Court's ECF system, certified mail, return receipt requested and/or E-Mail* to all known counsel of record on this 3rd Day of June 2020 as follows:

/s/ Larry W. Lawrence, Jr.  
Larry W. Lawrence, Jr.  
Michael A. Lawrence

